

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

STATE OF OHIO, ex rel.	:	CASE NO.: 2:11-cv-508
DAVE YOST	:	(consolidated with 2:08-cv-709)
OHIO ATTORNEY GENERAL	:	
	:	Judge MICHAEL H. WATSON
Plaintiff,	:	
v.	:	
	:	
OTTERBEIN UNIVERSITY,	:	
	:	
and	:	
	:	
UNITED STATES OF AMERICA	:	
UNITED STATES DEPARTMENT OF	:	
DEFENSE, and LLOYD J. AUSTIN III	:	
in his capacity as SECRETARY OF THE	:	
DEPARTMENT OF DEFENSE,	:	
	:	
Defendants.	:	

**Joint Motion to Enter Consent Decree**

Plaintiff, the State of Ohio, and Defendants, Otterbein University and the United States, ask this Court to approve and enter the proposed Consent Decree which was lodged with the Court on October 5, 2023. ECF No. 26 and ECF No. 26-1, PageID 334–546. That Consent Decree resolves the State’s claims for violations of Ohio’s hazardous waste, water pollution, and nuisance laws, and the State’s claims for response costs under the Comprehensive Environmental Response, Compensation, and Liability Act (“CERCLA”) in this case. In short, the Consent Decree fully resolves this lawsuit. The State has completed a thirty-day public notice and comment period as required by the Clean Water Act and no comments have been received.

Accordingly, the parties ask the Court to enter the Consent Decree, a copy of which is attached to this motion as Exhibit A.

Respectfully submitted,

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